

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12236 of 2016

Arising Out of PS.Case No. -429 Year- 2015 Thana -KRITYANAND NAGAR District- PURNIA

1. Kundan Sahni S/o Bhusan Sahni, Resident of Sarsi Gorhi Tola, P.s.-
Sarsi, District- Purnia

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kumari Ritambhara, Advocate

For the Opposite Party/s : Mr. Dr. Kr.Uday Pratap (App)

**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

3 04-05-2016 Heard learned counsel for the petitioner and learned
A.P.P. representing the State.

The petitioner seeks bail in connection with K. Nagar
(Champa Nagar) P.S. Case No. 429 of 2015 registered for the
offences punishable under Sections 147, 148, 149, 307, 354, 376,
380, 449 and 386 of the Indian Penal Code.

This case has been registered on the basis of complaint
petition wherein it is alleged that the petitioner took away the
informant in maize field forcibly and committed rape with her.

Submission is of false implication and that the
occurrence is of night of 14.03.2015 but complaint case has been
filed on 20.03.2015 without any explanation, as a matter of fact,
no such occurrence has taken place, there was dispute of some

money between the husband of the informant and the accused resulting this false case. The doctor who has examined the victim has not found any sign of rape.

The learned A.P.P. opposes the prayer of bail by submitting that due to high handedness of the petitioner and other co-accused the case was not filed earlier and the husband of the informant and other witnesses have supported the allegation.

In the facts and circumstances stated above, considering the allegation attributed against the petitioner at this stage, I am not inclined to enlarge the petitioner on bail and accordingly, his such prayer stands rejected in connection with K. Nagar (Champa Nagar) P.S. Case No. 429/15 pending in the court of CJM, Purnea.

However, the petitioner may renew his prayer of bail after examination of the informant during trial.

(Jitendra Mohan Sharma, J)

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